



General Assembly

Amendment

February Session, 2012

LCO No. 3182

SB0018103182SD0

Offered by:

SEN. LEBEAU, 3rd Dist.

To: Subst. Senate Bill No. 181

File No. 154

Cal. No. 136

***"AN ACT REQUIRING THE STANDARD AND PREVAILING WAGE
BE PAID TO CERTAIN EMPLOYEES OF EMPLOYERS WHO
RECEIVED FINANCIAL ASSISTANCE FROM STATE ECONOMIC
DEVELOPMENT ENTITIES."***

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2013, and applicable to any*
4 *agreement for financial assistance entered into on or after said date*) (a) On
5 and after January 1, 2013, if the Department of Economic and
6 Community Development or the Connecticut Development Authority
7 provides financial assistance to any business organization with more
8 than one thousand employees in an amount greater than or equal to
9 five million dollars, such providing agency shall require, as a condition
10 of receiving financial assistance that (1) the business organization pay,
11 to each employee who provides food, building, property or equipment
12 services, as defined in section 31-57f of the general statutes, within a
13 period of five years from the date the business organization received
14 such assistance, wages greater than or equal to the prevailing rate of

15 wages paid by a required employer, as defined in said section 31-57f,
16 to an employee performing such services pursuant to said section 31-
17 57f, and (2) any contract entered into by the business organization for
18 the provision of food, building, property or equipment services, as
19 defined in said section 31-57f, for a period of five years from the date
20 the business organization received such assistance, shall contain the
21 following provision: "The wages paid on an hourly basis to any person
22 providing food, building, property or equipment services and the
23 amount of payment or contribution paid or payable on behalf of each
24 such person to any employee welfare fund, as defined in section 31-53
25 of the general statutes, shall be at a rate greater than or equal to the
26 prevailing rate of wages paid by a required employer, as defined in
27 section 31-57f of the general statutes, to an employee performing such
28 services pursuant to said section."

29 (b) If a business organization that receives financial assistance fails
30 to pay any employee providing such services at a rate greater than or
31 equal to the prevailing rate of wages, as required by subdivision (1) of
32 subsection (a) of this section, or fails to contract for the payment of
33 employees at a rate greater than or equal to the prevailing rate of
34 wages, as required by subdivision (2) of subsection (a) of this section,
35 the full amount of any financial assistance received and a penalty of
36 five per cent of such amount shall be repaid by the business
37 organization to the providing agency. For purposes of this section,
38 "financial assistance" includes grants and tax abatements.

39 Sec. 2. (NEW) (*Effective January 1, 2013, and applicable to any contract*
40 *for construction, remodeling, refinishing, refurbishing, rehabilitation,*
41 *alteration or repair entered into on or after said date*) (a) On and after
42 January 1, 2013, if the Department of Economic and Community
43 Development or the Connecticut Development Authority provides
44 financial assistance to any business organization with more than one
45 thousand employees in an amount greater than or equal to one million
46 dollars for the construction, remodeling, refinishing, refurbishing,
47 rehabilitation, alteration or repair of any property owned by such
48 business organization, such providing agency shall require, as a

49 condition of receiving financial assistance, that the contract entered
 50 into by the business organization for such construction, remodeling,
 51 refinishing, refurbishing, rehabilitation, alteration or repair of any
 52 property shall contain the following provision: "The wages paid on an
 53 hourly basis to any person performing the work of any mechanic,
 54 laborer or worker on the work herein contracted to be done and the
 55 amount of payment or contribution paid or payable on behalf of each
 56 such person to any employee welfare fund, as defined in section 31-53
 57 of the general statutes, shall be at a rate equal to the rate customary or
 58 prevailing for the same work in the same trade or occupation for a
 59 public works project constructed in the town in which the property is
 60 located. Any contractor who is not obligated by agreement to make
 61 payment or contribution on behalf of such persons to any such
 62 employee welfare fund shall pay to each mechanic, laborer or worker
 63 as part of such person's wages the amount of payment or contribution
 64 that would be payable under said section 31-53 for such person's
 65 classification on each pay day."

66 (b) On and after January 1, 2013, a business organization that (1)
 67 received financial assistance from the state or any agency of the state,
 68 (2) entered into a contract for the construction, remodeling, refinishing,
 69 refurbishing, rehabilitation, alteration or repair of any property owned
 70 by such business organization, and (3) did not include the provision
 71 required pursuant to subsection (a) of this section in such contract,
 72 shall repay the full amount of any financial assistance received and a
 73 penalty of five per cent to the providing agency. For purposes of this
 74 section, "financial assistance" includes grants and tax abatements."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013, and applicable to any agreement for financial assistance entered into on or after said date</i>	New section

Sec. 2	<i>January 1, 2013, and applicable to any contract for construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair entered into on or after said date</i>	New section
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